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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**
Docket Number (Optional)
8477/ETCH/DRIE

This correspondence is being electronically transmitted to the USPTO and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on October 2, 2006.

Signature / Alan Taboada /Typed or printed name Alan Taboada

In re Application of

Bera, et al.

Application Number

10/663,304

Filed

9/16/03

For METHOD OF FABRICATING A DUAL DAMASCENE
INTERCONNECT STRUCTUREArt Unit
2823Examiner
Pham, Thanh V.Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3562. However, the Applicants request that the fee paid in connection with the Notice of Appeal filed on December 8, 2006 be credited towards this Notice of Appeal. Specifically, the previously filed Appeal was withdrawn in favor of a Request for Continued Examination prior to any review by the Examiner or the Board of Patent Appeals and Interferences.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

/ Alan Taboada /

Signature

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Typed or printed name

(732) 935-7100

Telephone number

 attorney or agent of record.Registration number 51,359. attorney or agent acting under 37 CFR 1.34.Registration number if acting under 37 CFR 1.34. _____October 2, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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